

February 21, 2019

**ExxonMobil Baytown Chemical Plant
ExxonMobil Chemical Company Flare Consent Decree
Semi-Annual Report**

Director, Air Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
Mail Code 2242-A
1200 Pennsylvania Ave., N.W.
William Jefferson Clinton Building
Room 1119
Washington, D.C. 20460-0001

Associate Director
Air, Toxics, and Inspections Coordination Branch (6 EN-A)
U.S. EPA, Region 6
1445 Ross Avenue
Dallas, Texas 75202

Attention: Consent Decree, Civil Action No. 4:17-cv-3302

Pursuant to Section X, Paragraphs 66-73 of Consent Decree, Civil Action No. 4:17-cv-3302, Exxon Mobil Corporation (ExxonMobil) submits this Semi-Annual Report (SAR) covering the period of June 6, 2018 through December 31, 2018.

Certification Statement
Per Consent Decree Paragraph 71:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are

Consent Decree, Civil Action No. 4:17-cv-3302
February 21, 2019
Page 2 of 2

significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

If you have any questions about this SAR or require any additional information, please contact Caron Blankenhorn at 346-259-2168.

Sincerely,



Mary Katherine Lightfoot
Baytown Chemical Plant Manager
ExxonMobil Baytown Chemical Plant

Attachment

cc: EES Case Management Unit
Environment and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611
Washington, D.C. 20044-7611
Re: DJ # 90-5-2-1-10128 and 10128/1

United States Attorney
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Baytown Chemical Plant

Baytown, Texas

**SEMI-ANNUAL REPORT
PURSUANT TO CONSENT DECREE,
*UNITED STATES, ET AL V. EXXON MOBIL CORPORATION AND
EXXONMOBIL OIL CORPORATION,*
CIVIL ACTION NO. 4:17-cv-3302 (S.D. TX)**

June 6, 2018 – December 31, 2018

5000 Bayway Drive

Baytown, Texas

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SECTION 1 STATUS OF CONSENT DECREE SECTION V COMPLIANCE REQUIREMENTS

This progress report provides the status of implementation of Consent Decree requirements that, during the reporting period, require the ExxonMobil Baytown Chemical Plant to undertake a specific action or make a submittal to an agency; or otherwise require the ExxonMobil Baytown Chemical Plant to take specific steps to implement new obligations, including new control or emissions requirements, new monitoring requirements, or institution of new procedures. Once the ExxonMobil Baytown Chemical Plant has reported a requirement as implemented, it will not appear in subsequent progress reports under this subparagraph.

Consent Decree Paragraph 66a. – b.

a. A description of the status of work performed and progress made toward implementing all requirements of Consent Decree Section V Compliance Requirements at the Covered Facilities. This topic should describe any major milestones completed and remaining to be completed;

Status: ExxonMobil Baytown Chemical Plant has completed the following work as required to meet the requirements of Consent Decree Section V Compliance Requirements. Major milestones completed for this reporting period are in Table 1.1.

TABLE 1.1 Major Milestones Completed For This Reporting Period

Covered Flare	Description of Work Completed During This Reporting Period
FS-12, FS-23, and FS-24	Commissioned calorimeters for direct NHV monitoring

Status: ExxonMobil Baytown Chemical Plant is in the process of completing the following work as required to meet the requirements of Consent Decree Section V Compliance Requirements.

TABLE 1.2 Status of Remaining Work to be Completed

Applicability	Remaining Work to be Completed	Anticipated Completion Date
FS-9; FS-12; FS-23; FS-24	Submit Flare Data and Monitoring Systems and Protocol Report	No later than 6/6/2019
FS-9; FS-12; FS-23; FS-24	Submit Initial Waste Gas Minimization Plan	No later than 6/6/2019
FS-9; FS-12; FS-23; FS-24	Conduct internal reporting and recordkeeping for Reportable Flaring Incidents	No later than 6/6/2019
ExxonMobil Baytown Chemical Plant	Submit report showing fenceline monitor locations and provide a reporting URL	No later than 3/3/2019
ExxonMobil Baytown Chemical Plant	Collect fenceline monitoring data for compliance	No later than 6/6/2019

b. A description of any problems encountered or anticipated in meeting the requirements in Consent Decree Section V Compliance Requirements at the Covered Facilities, together with implemented or proposed solutions;

Status: ExxonMobil Baytown Chemical Plant has not encountered problems and does not anticipate problems in meeting the requirements of Consent Decree Section V Compliance Requirements as shown in Table 1.3 as “None”.

TABLE 1.3 Encountered or Anticipated Problems in Work to be Completed

Covered Flare	Encountered or Anticipated Problem(s)	Proposed or Implemented Solution(s)
None	None	None

SECTION 2 STATUS OF CONSENT DECREE SECTION V REPORTING REQUIREMENTS

Below is a summary of the status of reports as required under Consent Decree Section V.

Flare Data and Monitoring Systems and Protocol Report

Requirement: Consent Decree Paragraph 18

Description: For each Covered Flare, by no later than 365 Days after the Effective Date, the Defendants must submit a report, consistent with the requirements in Appendix 1.5, to EPA that includes the following:

- a. The information, diagrams, and drawings specified in Paragraphs 1–7 of Appendix 1.5;
- b. A detailed description of each instrument and piece of monitoring equipment, including the specific model and manufacturer, that the Defendants have installed or will install in compliance with Paragraphs 20–24 of this Consent Decree (Paragraphs 8–9 of Appendix 1.5); and
- c. A narrative description of the monitoring methods and calculations that the Defendants will use to comply with the requirements of Paragraph 43 (Paragraph 10 of Appendix 1.5).

Status: This section does not apply to this reporting period. The Flare Data and Monitoring Systems and Protocol Report is due no later than June 6, 2019.

Initial Waste Gas Minimization Plan (“Initial WGMP”)

Requirement: Consent Decree Paragraph 29

Description: By no later than 365 Days after the Effective Date, for each Covered Flare, the Defendants must submit to EPA an Initial Waste Gas Minimization Plan that discusses and evaluates flaring Prevention Measures on both a facility-wide and Covered Flare-specific basis for each Covered Facility.

Status: This section does not apply to this reporting period. The Initial Waste Gas Minimization Plan submittal is due no later than June 6, 2019.

First Updated Waste Gas Minimization Plan (“First Updated WGMP”)

Requirement: Consent Decree Paragraph 29

Description: By no later than 730 Days after the Effective Date, the Defendants must submit to EPA a First Updated WGMP that updates, if and as necessary, the information, diagrams, and drawings required in the Flare Data and Monitoring Systems and Protocol Report required by Paragraph 18 and the information required in sub-Paragraphs 29.a–29.e for the 12-month period after the period covered by the Initial Waste Gas Minimization Plan.

Status: This section does not apply to this reporting period. The first Updated Waste Gas Minimization Plan submittal is due no later than June 5, 2020.

SECTION 3 STATUS OF PERMITTING ACTIVITY

Consent Decree Paragraph 66c.

c. A description of the status of any permit applications, including a summary of all permitting activity, pertaining to compliance with this Consent Decree;

Status: ExxonMobil Baytown Chemical Plant is preparing to submit permit applications to TCEQ's Air Permit Division for Permit Number 20211/PAL16 and Permit Number 4600. The applications will request to incorporate the requirements listed in the Consent Decree Paragraph 60.c into Permit Number 20211/PAL16 and Permit Number 4600 such that the requirements (i) become and remain "applicable requirements" as that term is defined in 40 C.F.R. §70.2 and (ii) survive the termination of the Consent Decree. In accordance with Consent Decree Paragraph 60.b., the permit applications will be submitted no later than one year after the Effective Date or one year after the respective deadline for the Compliance Requirements listed in Paragraph 60.c.

The ExxonMobil Baytown Chemical Plant is preparing to submit permit applications to TCEQ's Air Permit Division for Title V Permit O2269. The application will request to incorporate the requirements listed in the Consent Decree Paragraph 60.c into Title V O2269. In accordance with Consent Decree Paragraph 60.b., the permit applications will be submitted no later than three years after the Effective Date or one year after the respective deadline for the Compliance Requirements listed in Paragraph 60.c.

SECTION 4 REPORTS SUBMITTED TO LDEQ

Consent Decree Paragraph 66d.

- d. A copy of any reports that were submitted only to LDEQ and that pertain to compliance with this Consent Decree.

Status: This section does not apply because the ExxonMobil Baytown Chemical Plant is located in the State of Texas and therefore does not submit reports to LDEQ.

SECTION 5 STATUS OF SEP(S)

Consent Decree Paragraph 66e.

e. A description of the Defendants' progress in satisfying its obligations in connection with the SEP(s) under Section VI including, at a minimum, a narrative description of activities undertaken; status of any construction or compliance measures, including the completion of any milestones set forth in the SEP Work Plan (attached as Appendix 2.1), and a summary of costs incurred since the previous report;

Status: For the Baytown Area Phyto-Pollution Reduction Supplemental Environmental Project (SEP), the deadline to complete Phase 1 was extended to be the spring of 2019 pursuant to the Second Stipulation Making Minor Modification to the Consent Decree, filed on November 29, 2018. ExxonMobil remitted \$200,000 to the City of Baytown for Phase 1 of the Baytown Area Phyto-Pollution Reduction SEP on September 26, 2018.

No trees were planted during the fall of 2018. The design and contract for Phase 1 is currently being finalized. The SEP Eligible Costs incurred as of December 31, 2018 are \$525 for irrigation design fees.

SECTION 6 UPDATED WASTE GAS MINIMIZATION PLAN (WGMP)

Consent Decree Paragraph 66f.

f. Any updated WGMP for the Covered Facilities that is required to be submitted by Paragraph 31.

Subsequent Updates to WGMPs (“Subsequently Updated WGMP”)

Requirement: Consent Decree Paragraph 31

On an annual basis after submitting the First Updated WGMP until termination of the Decree, the Defendants must submit an updated WGMP for a Covered Facility as part of the Semi-Annual Report required by Section IX (Reporting Requirements) if, at that Covered Facility, the Defendants: a) commence operation of a Newly Installed Covered Flare or permanently remove a Covered Flare from service, b) connect a new Waste Gas stream to a Covered Flare, c) intentionally modify the Baseload Waste Gas Flow Rate to a Covered Flare, d) install additional FGRS, or e) change the design of a Covered Flare. Each update must update, if and as necessary, the information required in sub-Paragraphs 29.a.i - 29.a.iii. Each update must update, if and as necessary, the information required in sub-Paragraphs 30.a and 30.b. To the extent the Defendants propose to extend any schedule set forth in a previous WGMP for any of the Covered Facilities, the Defendants may do so only with good cause, the determination of which is subject to Section XII (Dispute Resolution).

Status: This section does not apply to this reporting period. The Initial Waste Gas Minimization Plan submittal is due no later than June 6, 2019 and the first Updated Waste Gas Minimization Plan submittal is due no later than June 5, 2020. Subsequent updates, if necessary, will be made on an annual basis as part of the Semi-Annual Report.

SECTION 7 SUMMARY OF INTERNAL FLARING INCIDENT REPORTS

Consent Decree Paragraph 66g.

- g. Any summary of internal flaring incident reports as required by Paragraph 34.

Status: This section does not apply to this reporting period. In accordance with Paragraph 34.a. of the Consent Decree, ExxonMobil Baytown Chemical Plant will begin internal Reportable Flaring Incident (RFI) reporting and recordkeeping no later than June 6, 2019.

SECTION 8 REPORTING SUMMARY

Consent Decree Paragraph 66h.

- h. A summary of the following, per Covered Flare per Calendar Quarter (hours shall be rounded to the nearest tenth):
- (1) The total number of hours of Instrument Downtime claimed pursuant to Paragraph 45, expressed as both an absolute number and a percentage of time the Covered Flare that the instrument/equipment monitors is In Operation and Capable of Receiving Sweep, Supplemental, and/or Waste Gas;

TABLE 8.1 June 6 – June 30, 2018 Instrument Downtime Summary

Covered Flare	Monitoring System	System Downtime (%)	System Downtime (hours)
FS-9	Vent Gas Flow	0.0	0.0
FS-9	Steam Flow	0.0	0.0
FS-9	Net Heating Value	0.0	0.0
FS-9	Camera	0.4	2.3
FS-12	Vent Gas Flow	0.0	0.0
FS-12	Steam Flow	0.0	0.0
FS-12	Net Heating Value	2.3	14.0
FS-12	Camera	0.0	0.0
FS-23	Vent Gas Flow	0.2	1.0
FS-23	Steam Flow	0.0	0.0
FS-23	Net Heating Value	0.0	0.0
FS-23	Camera	0.0	0.0
FS-24	Vent Gas Flow	0.0	0.0
FS-24	Steam Flow	0.0	0.0
FS-24	Net Heating Value	4.7	28.0
FS-24	Camera	0.0	0.0

TABLE 8.2 3rd Quarter 2018 Instrument Downtime Summary

Covered Flare	Monitoring System	System Downtime (%)	System Downtime (hours)
FS-9	Vent Gas Flow	0.0	0.0
FS-9	Steam Flow	0.0	0.0
FS-9	Net Heating Value	1.6	34.5
FS-9	Camera	0.0	0.4
FS-12	Vent Gas Flow	0.1	2.0
FS-12	Steam Flow	0.0	1.0
FS-12	Net Heating Value	3.2	71.0
FS-12	Camera	0.0	0.5
FS-23	Vent Gas Flow	0.1	2.0
FS-23	Steam Flow	0.1	2.0
FS-23	Net Heating Value	0.5	9.0
FS-23	Camera	0.0	0.0
FS-24	Vent Gas Flow	0.0	0.0
FS-24	Steam Flow	0.1	3.0
FS-24	Net Heating Value	0.2	5.0
FS-24	Camera	0.0	0.0

TABLE 8.3 4th Quarter 2018 Instrument Downtime Summary

Covered Flare	Monitoring System	System Downtime (%)	System Downtime (hours)
FS-9	Vent Gas Flow	0.8	17.5
FS-9	Steam Flow	0.0	0.5
FS-9	Net Heating Value	0.0	0.5
FS-9	Camera	0.1	1.3
FS-12	Vent Gas Flow	0.0	0.0
FS-12	Steam Flow	0.0	0.0
FS-12	Net Heating Value	0.0	7.3

Covered Flare	Monitoring System	System Downtime (%)	System Downtime (hours)
FS-12	Camera	0.5	11.8
FS-23	Vent Gas Flow	1.5	33.0
FS-23	Steam Flow	1.5	33.0
FS-23	Net Heating Value	1.8	40.0
FS-23	Camera	0.0	0.0
FS-24	Vent Gas Flow	0.1	2.0
FS-24	Steam Flow	0.5	10.0
FS-24	Net Heating Value	0.2	4.0
FS-24	Camera	0.0	0.0

- (2) If the total number of hours of Instrument Downtime claimed pursuant to Paragraph 45 exceeds 5% of the time in a Calendar Quarter the Covered Flare affected by the downtime is In Operation, an identification of the periods of downtime by date, time, cause (including Malfunction or maintenance), and, if the cause is asserted to be a Malfunction, the corrective action taken;

Status: No Covered Flare incurred Instrument Downtime claimed pursuant to Paragraph 45 that exceeded 5% of the time the flare was In Operation in any Calendar Quarter, as noted by “None” in Tables 8.4 – 8.6.

**TABLE 8.4 June 6 – June 30, 2018 Instrument Downtime Identification
(if total hours exceeds 5%)**

Covered Flare	Monitoring System	Start Date/Time	End Date/Time	Cause	Corrective Action
None	None	None	None	None	None

**TABLE 8.5 3rd Quarter 2018 Instrument Downtime Identification
(if total hours exceeds 5%)**

Covered Flare	Monitoring System	Start Date/Time	End Date/Time	Cause	Corrective Action
None	None	None	None	None	None

**TABLE 8.6 4th Quarter 2018 Instrument Downtime Identification
(if total hours exceeds 5%)**

Covered Flare	Monitoring System	Start Date/Time	End Date/Time	Cause	Corrective Action
None	None	None	None	None	None

- (3) The total number of hours, expressed as both an absolute number of hours and a percentage of time that the Covered Flare was In Operation, in which the requirements of Paragraphs 43-44 were not applicable because the only gas or gases being vented were Pilot Gas or Purge Gas;

TABLE 8.7 June 6 – June 30, 2018 Requirements of Paragraphs 43-44 Were Not Applicable Because Only Pilot or Purge Gas Flow Was Vented

Covered Flare	Time (%)	Time (Hours)
FS-9	0.0	0.0
FS-12	0.0	0.0
FS-23	77.7	465.9
FS-24	98.2	589.2

TABLE 8.8 3rd Quarter 2018 Requirements of Paragraphs 43-44 Were Not Applicable Because Only Pilot or Purge Gas Flow Was Vented

Covered Flare	Time (%)	Time (Hours)
FS-9	0.1	1.1
FS-12	0.0	0.0
FS-23	87.2	1,925.6
FS-24	99.4	2,194.3

TABLE 8.9 4th Quarter 2018 Requirements of Paragraphs 43-44 Were Not Applicable Because Only Pilot or Purge Gas Flow Was Vented

Covered Flare	Time (%)	Time (Hours)
FS-9	35.7	787.7
FS-12	0.0	0.0
FS-23	32.9	726.3
FS-24	81.9	1,807.9

(4) Exceedances of Combustion Efficiency Standards.

- i. The total number of hours, expressed as both an absolute number of hours and a percentage of time the Covered Flare was In Operation, of exceedances of the emissions standards in Paragraphs 43-44; provided however, that if the exceedance of these standards was less than 5% of the time in a Calendar Quarter and was due to one or more of the exceptions set forth in Paragraph 45, the report shall so note; and

Status: No exceedance of combustion efficiency standards was due to one or more of the exceptions set forth in Paragraph 45, as noted by “None” in Tables 8.10 – 8.12.

TABLE 8.10 June 6 – June 30, 2018 Exceedance of Standard less than 5% of the Time in this Period and Was Due to Exceptions Set Forth in Paragraph 45

Covered Flare	Time (%)	Time (Hours)
None	None	None

TABLE 8.11 3rd Quarter 2018 Exceedance of Standard less than 5% of the Time in this Period and Was Due to Exceptions Set Forth in Paragraph 45

Covered Flare	Time (%)	Time (Hours)
None	None	None

TABLE 8.12 4th Quarter 2018 Exceedance of Standard less than 5% of the Time in this Period and Was Due to Exceptions Set Forth in Paragraph 45

Covered Flare	Time (%)	Time (Hours)
None	None	None

ii. If the exceedance of the emissions standards in Paragraphs 43-44 was not due to one of the exceptions in Paragraph 45 (Instrument Downtime), or if the exceedance was due to one or more of the exceptions in Paragraph 45 and the total number of hours caused by the exceptions exceeds 5% of the time in a Calendar Quarter that the Covered Flare affected by the Instrument Downtime was In Operation, an identification of each block period that exceeded the standard, by time and date; the cause of the exceedance (including startup, shutdown, maintenance, or Malfunction), and if the cause is asserted to be a Malfunction, an explanation and any corrective actions taken; and

Status: There were no exceedances of combustion efficiency standards during June 6 – June 30 and the 4th Quarter 2018, as noted by “None” in Tables 8.13 and 8.15. Exceedances of combustion efficiency standards during the 3rd Quarter of 2018 are listed in Table 8.14.

TABLE 8.13 June 6 – June 30, 2018 Exceedance of Combustion Efficiency Standards

Covered Flare	Combustion Efficiency Standard	Start Date/ Time	End Date/ Time	Cause	Corrective Action
None	None	None	None	None	None

TABLE 8.14 3rd Quarter 2018 Exceedance of Combustion Efficiency Standards

Covered Flare	Combustion Efficiency Standard	Start Date/ Time	End Date/ Time	Cause	Corrective Action
FS-12	NHV _{vg}	7/26/2018 20:00	7/27/2018 01:59	Inadvertent isolation of natural gas.	Natural gas flow was restored.
FS-12	NHV _{cz}	7/26/2018 19:00	7/27/2018 01:59	Inadvertent isolation of natural gas.	Natural gas flow was restored.

TABLE 8.15 4th Quarter 2018 Exceedance of Combustion Efficiency Standards

Covered Flare	Combustion Efficiency Standard	Start Date/ Time	End Date/ Time	Cause	Corrective Action
None	None	None	None	None	None

- (5) Compliance with Compressor Availability Requirements. Sufficient information to document compliance with the FGRS Compressor availability requirements of sub-Paragraph 38.b. For any period of non-compliance, the Defendants must identify the date, cause, and corrective action taken.

Status: This section does not apply to this reporting period. The FGRS Compressor availability requirements of sub-Paragraph 38.b., as noted in sub-Paragraph 38.f., must be an 8,760-hour rolling sum, rolling hourly, using only hours when Potentially Recoverable Gas was generated during all or part of the hour. The 8,760-hour rolling sum period began upon the Effective Date of June 6, 2018 for FGRS existing upon this Effective Date.

Since the 8,760-hour rolling sum began June 6, 2018 for existing FGRS, the first FGRS Compressor availability calculations will be completed on June 6, 2019 and will be reported in the Semi-Annual Report due no later than August 31, 2019.

SECTION 9 ADDITIONAL MATTERS

Consent Decree Paragraph 66i.

- i. Any additional matters that the Defendants believe should be brought to the attention of EPA, or LDEQ for the Baton Rouge Facilities.

Status: None.

SECTION 10 FENCELINE AIR MONITORING REPORTS

Consent Decree Paragraph 67a. – b.

The Defendants must submit Fenceline Air Monitoring Reports as part of each Semi-Annual Report. The Fenceline Air Monitoring Reports must contain the following information:

- a. In spreadsheet format, the individual sample results for each monitor comprising each Fenceline Monitoring System, each bi-weekly annual average benzene concentration difference value (once annual averages are available), and the corresponding meteorological data for the relevant monitoring periods. The first two columns of each spreadsheet shall be the date and time for each sample taken; and
- b. A detailed description of the actions and findings of any root cause analysis and corrective action(s) undertaken pursuant to Paragraph 3(g) of Appendix 2.2, including the known results of the corrective action(s) and the anticipated emissions reductions (in TPY per pollutant).

Status: This section does not apply to this reporting period. ExxonMobil Baytown Chemical Plant will begin collecting fenceline monitoring data no later than June 6, 2019.

SECTION 11 ANNUAL EMISSIONS DATA

Consent Decree Paragraph 68

In the Semi-Annual Report that is submitted on February 28 of each year, the Defendants must provide, for each Covered Flare, for the prior calendar year, the amount of emissions of the following compounds (in tons per year): VOCs, HAPs, NO_x, CO₂, methane, and ethane.

As of the date of this Semi-Annual Report, the annual emissions are reflected in Table 11.1 below.

TABLE 11.1 2018 Annual Emissions Data

Covered Flare	Emissions (tons per year)					
	VOCs	HAPs	NO _x	CO ₂	Methane	Ethane
FS-9	127	10	13	32,098	20	2
FS-12	24	32	8	19,356	39	3
FS-23	28	5	8	18,318	35	3
FS-24	< 1	< 1	2	6,073	15	< 1

SECTION 12 ANY ADDITIONAL NON-COMPLIANCE

Consent Decree Paragraph 69

Each Semi-Annual Report must also include a description of any non-compliance with the requirements of this Consent Decree not otherwise identified by Paragraph 66 along with an explanation of the violation's likely cause and of the remedial steps taken, or to be taken, to prevent or minimize such violation. If the cause of a violation cannot be fully explained at the time the report is due, the Defendants must so state in the report. In such a case, the Defendants must investigate the cause of the violation and then submit an amendment to the report, including a full explanation of the cause of the violation, within 30 Days of the Day the Defendants become aware of the cause of the violation. Nothing in this Paragraph or the following Paragraph relieves the Defendants of their obligation to provide the notice required by Section XI (Force Majeure).

TABLE 12.1 Additional Non-Compliance

Covered Flare	Requirement Paragraph	Start Date/ Time	End Date/ Time	Cause	Corrective Action
FS-23 ¹	27. Instrumentation and Monitoring Systems: Operation	8/5/2018 17:30	8/6/2018 05:14	Vent gas pressure instrument was inadvertently left blocked-in upon putting flare in operation.	Vent gas pressure instrument was lined up to process.

¹ During the period of downtime, the only gases being sent to the Covered Flare were Purge Gas and Pilot Gas.